

Exhibit A

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

METROPOLITAN TRANSPORTATION
AUTHORITY & TRIBOROUGH BRIDGE
AND TUNNEL AUTHORITY,

Plaintiffs,

NEW YORK STATE DEPARTMENT OF
TRANSPORTATION, RIDERS ALLIANCE,
SIERRA CLUB, & NEW YORK
DEPARTMENT OF TRANSPORTATION

Intervenor-Plaintiffs,

v.

SEAN DUFFY, et al.

Defendants.

Case No. 25-cv-01413-LJL

DECLARATION OF RICHARD MARQUIS

1. My name is Richard Marquis. I make this Declaration based on my own personal knowledge, on information contained in the records of the Federal Highway Administration (FHWA), or on information provided to me by FHWA employees.
2. I am currently employed as the New York Division Administrator for the FHWA, headquartered in Washington, D.C with a field office in Albany, NY. I began my service at the FHWA on November 4, 1996.
3. In my role at the FHWA, I have the following responsibilities:
 - a. Exercises executive direction over the Federal-aid highway program in New York State.
 - b. Establishes the New York Division Office objectives, priorities, and timetables.
 - c. Provides guidance to State and local officials in the identification of surface transportation needs and related priorities which, when implemented, carry out national transportation goals.
4. In 1991, the Congestion Pricing Pilot Program (CPPP) was established under Section 1012 (b) of the Intermodal Surface Transportation Efficiency Act (ISTEA). Under ISTEA §25

million was authorized for appropriation for each fiscal year (1992-1997) to fund the CPPP. In 1998 the CPPP was subsequently renamed the Value Pricing Pilot Program (VPPP) under Section 1216 (a) of the Transportation Efficiency Act for the 21st Century (TEA-21). TEA-21 authorized for appropriation \$8 million for the VPPP for fiscal years 1998-2003. Then in 2005 with the enactment of Section 1604(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Congress authorized for appropriation \$11 million for fiscal year 2005 and \$12 million for each fiscal years 2006 through 2009 for the VPPP. SAFETEA-LU was the final multi-year transportation reauthorization bill to fund the VPPP. The Surface Transportation Extension Act of 2010 (P.L. 111-147) extended SAFETEA-LU appropriations and authorized \$12 million for fiscal year 2010 and \$3 million for fiscal year 2011 for the VPPP. VPPP funds were available for three years following the corresponding fiscal year. The Moving Ahead for Progress in the 21st Century Act (MAP 21) was enacted in 2012, it was the first multi-year highway authorization enacted since 2005—no funding was authorized for the VPPP.

5. The FHWA Fiscal Year 2026 Budget Estimate does not request any funding for the Value Pricing Pilot Program. FHWA does not anticipate receiving any funding for the Value Pricing Pilot Program, but if funds are appropriated for this program in the future FHWA is positioned to disburse such funds in accordance with Congress' intent.
6. The CBDTP toll implementation plan does not provide an exemption for general purpose Federal Government-Owned Vehicles (GOV). To the extent a GOV travels into the congestion relief zone of the CBDTP the Federal government, through the appropriate agency, will be charged the toll. No data is being collected specific to GOVs traveling within the CBDTP congestion relief zone. The CBDTP toll implementation plan provides an exemption for specialized government-owned vehicles' (SGOV). MTA defines SGOV's as vehicles owned or controlled by a federal, state, regional, or local government that are specifically designed and configured to perform a particular type of public function, other than general transportation of people or general deliveries. This includes garbage trucks, street-cleaning trucks, snowplows, pavers, bucket trucks, etc. <https://www.mta.info/fares-tolls/tolls/congestion-relief-zone/discounts-exemptions/government-vehicles>. FHWA does not own or operate any SGOVs within the CBDTP congestion relief zone.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Albany, NY this 25th day of June, 2025.

RICHARD JOSEPH MARQUIS 
Digitally signed by
RICHARD JOSEPH MARQUIS
Date: 2025.06.25 15:13:52
-04'00'

Richard J. Marquis